E.& P.H. **(194 8) Department.**

Education **SERIES.**

G.O. NO. 3124 Education

3124

Dated-12-1948.

[Despatch Abstract.]

Land Acquisition - South Kanara District - Mangalore Taluk and Re. Kodial Gil village - T.S.No.193/A.1 - Hostel purposes of the S.. Mangalore - Draft notification under s 4(1)- Published.

Ref.C.No.17672/48-B1. S.Kanara Collector&s Office,
Mangalore dated 4.11.48.

From
S.R.KAIWAR ESQ.,MA.,ICS
Collector of South Kanara.

To
The Secretary to Government,
Education and Public Health
Department,
Madras.

Sir,

LAND ACQUISITION: South Kanara District--Mangalore Taluk and Town-- No.89 A Kodialbail village-- T.S.No.198/A1--Hostel purposes of St.Aloysius College,Mangalore--draft section 4(1) notification--submitted.

The Principal St.Aloysius College,Mangalore has applied for the acquisition of T.S.No.198/A1 of Kodialbail village for the purpose of a Hostel. This land is situated within the limits of the Mangalore Municipality. It stands registered as garden land in the Revenue accounts and measures only 10 cents in extent. Its registered holder and owner is one Mrs Mary Ellen Sybel Saqueira who is away in Bombay and could not for this reason be examined in the case. She will be duly notified of the acquisition at the time of the section 5-A enquiry. There is a tiled building in the land and this building has been leased out by the owner to Sri M.N.Chowta,Advocate,Mangalore. But Sri Chowta occupies only one room and the verandah of the house and has sub let the residual portion thereof to one Sri P.Venkat Rao, teacher,Canara High school,Mangalore. Thus, both these individuals are tenants at-will. These two persons have been examined in the case. They are silent on the point if they have any objection to the proposed acquisition. Being tenants at will, they can possibly have no valid objection to the acquisition.

2. The Tahsildar,Mangalore who inspected the land has valued it, adopting the rental basis at Rs.7264-2-8. The Revenue Divisional Officer,Mangalore, proposes to offer his remarks regarding this valuation after the enquiry under the 5-A of the Act is held by him. Hence, this valuation may be taken as provisional.

3. The plot does not contain any-religious buildings,tombs or grave yards.

4. I enclose a copy of the several conditions subject to which the land is proposed to be acquired. The Principal St. Aloysius College,Mangalore has agreed to abide by them all. A copy of his letter No.80/C-48-49 dated 29.9.48 consenting to abide by the conditions is also appended.

5. In the circumstances mentioned above, I enclose a draft notification under section 4(1) of the Land Acquisition Act. It may kindly be approved and got published in the Fort St George Gazette.

Yours faithfully,

For Collector.

Copy to the Revenue Divisional Officer,Mangalore with the records of preliminary enquiry returned.

work of Rehabilitation to be made under section 4 of Act I of 1894 as amended by Act XXXVIII of 1923

WHEREAS it appears to H.E. the Governor of Madras that the land specified in the schedule below and situated in the Kollal bail (A) village, Mangalore Taluk and town, South Kanara District is needed for a public purpose, to wit, for the purposes of ~~a~~ nearby ~~warden's~~ lodge and rooms for Hostellers, of the St. Aloysius College, Mangalore, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and H.E. the Governor of Madras hereby authorises, the Revenue Divisional Officer, Mangalore, his staff and workmen to exercise the powers conferred by section 4(2) of the Act. Under Section 3(c) of the Act H.E. the Governor of Madras appoints the Revenue Divisional Officer, Mangalore, to perform the functions of a Collector in section 5-A of the Act.

Schedule.

District: South Kanara.
Taluk and town: Mangalore Taluk and town.
Village: No. 89A - Kollalbail.
Description of land - Puttuni - Garden.
S.No. and Sub Divn. - T.S.No.198/A1
Extent 0.10 Acre.
Assessment No. 0-7-0
Name of owner or occupier - Mrs. Mary Ellen Sylvia Sequiera
(Registered holder and owner)
Messrs. N.N.Chouta and P.Venkat Rao
tenants and occupiers.

(True copy)

Rev.Jos.A.B.Coelho,S.J.,B.A.,Ph.D.;
Principal & Correspondent,
St.Aloysius College,Mangalore.

The Collector of South Kanara,
Mangalor

No.80 C/48-49.

St.Aloysius College,
Mangalore 29.9.48.

Sir,

SUBJECT: LAND ACQUISITION: Mangalore Taluk-- No.89A Kodialbail village--T.S.NO.198/A1-- For the extension of the hostel of the St.Aloysius College--Mangalore.

...

Ref R. C.No.B1.17672-48 dated 9.9.48.

I have the honour to inform you I accept to abide by the conditions for acquiring the land in question under the Land Acquisition Act. As regards No.3 of the conditions I have the honour to state that the building on the land will be used for any of the following hostel purposes:

1) Warden's Lodge (given to the warden free of rent by the College)

2) Rooms for hostelers.

3) The building to be demolished in order to make room for a bigger building for hostelers.

Thanking you,

Yours faithfully,

Sd/Jos.A.B.Coelho
PRINCIPAL & CORRESPONDENT.

/True Copy/

For Collector.

Copy of Ref: C.No.B1-17672-48 dated 9-9-48 of this office to the Principal and Correspondent St. Alloysius' College, Mangalore.

LAND ACQUISITION: Mangalore Taluk - No. 89A Kodialbail V. T.S.No. 198/A1 - for the extension of the hostel of the St. Allyosius College Mangalore.

Ref: Your application dated 16-6-1948 in Form I to Appendix XII of the L.A. Manual.

The provisional estimated cost of acquisition of S.No. 19 /A of Kodialbail village is Rs.7264-2-8 (Seven thousand two hundred sixty four annas two and pies eight). Please let me know whether are willing to abide by the following conditions. This information necessary before the acquisition proceedings are started. Please state the specific purpose for which the land will be used.

Conditions:

(1) Agreeing to pay the funds.

(2) Agreeing to pay extra compensation, if any, that might be awarded by the Court, should the case be referred to it.

(3) Undertaking to use the land as approved by the Collector for the purpose to be specified and for no other purpose without the sanction of the Government.

(4) To use the land for the specified purpose within a period of two years from the date of handing over the land.

(5) To restore the land to the Government if they so direct on payment of the compensation awarded less 15% awarded for compulsory acquisition or of the value of the land at the time of restoration whichever may be less in the event of your not carrying out the purposes for which the land is required within the specified period or using the lands without the sanction of the Government at any time for a purpose other than for what they are acquired.

(6) The amount of grant made by the Government towards the cost of the land and of the building or other improvements shall be deducted from the compensation payable under conditions 12, 13 and 14.

(7) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the grant.

(8) The Government may resume the land wholly or in part, with any buildings thereon if in their opinion, the lands are required for a public purpose or for conducting mining operations. In the event of such resumption, the compensation payable for the lands and trees shall be the amount paid for them by the alinee at the time of the acquisition including the 15% solatium on the value at the time of resumption together with 15% thereof, whichever may be less. If there are buildings on the land, the Government shall pay compensation for them in accordance with the provisions of condition (9).

(9) In the event of the resumption of lands under condition ( ) the compensation payable for the buildings and other improvements shall be the amount paid for them by the alinee at the time of acquisition including the 15% of solatium on their value at the time of resumption by the Government together with 15% thereof, whichever may be less, together with the initial cost of the value at the time of resumption which ever may be less, of any buildings erect and other improvements effected on the lands by the alinee in accordance with the terms of alienation, plus 15% of such cost or value.

104 8/12

Land Acquisition - South Kanara Dt. - Mangalore T and Town - No.89-A,Kodialbail village - T.S.No.19 Hostel purposes of the St.Aloysius College,Mangal Draft Notification under 4(1) - Published.

o..82573/48

From the Collector of S.Kanara,Pef.C.No.1767/48-B1 4-11-1948.

Order/Ms.No. 3124 Edn..dated 8.12.48

The appended notification under Section 4(1 the Land Acquisition Act for the purpose of a hostel for the St.Aloysius College,Mangalore, will be publish in the Fort St.George Gazette.

2.A contribution of one anna is sanctioned from Provincial funds towards the cost of acquisition.

e Collector of .Kanara.
e D.P.I.
e Supdt.Govt.Press, Madras,for publication of the Notification in the F.S.G.
are.copy

The Collr. of S. Kanara is requested to obtain the consent of the Principal of the College to pay the cost of acquisition incidental charges if any

Note.

Note. Revenue may see before issue.

26/11/48.

E+H(GD)

D No. 82573 Q3/48-1 Elec

27.11.48

Rev. Dept

Please see the G & D. H. Note above.

I enclose Draft Notification under Section 4 (1) of the L.A. Act. which need not be seen in Rev.

Presumably the file has been sent direct to the G.D.H. with notice to the P.D. Lines proposed by the cover. On pp 1-8c of file it is seen from Conditions 1 and 2 that the wayleave has agreed to pay the fines and the extra

Cont. The Principal may be asked to agree to pay the Cosby agcy, incidental charges and Headers fee if any.

May be returned to ETPH

Cabler Ed

Conditions of Limitation 6/12 1/51/45

Offrs 5/12/45

ETPH (G13)

RefUO 6830F/45-1

6.12.45

With reference to our Revised Depot Wire at A above, a draft ~~memo to the Colleg for signature~~ ~~is submitted~~ sentence has since been added to the draft order. It may now issue.

9433 6 DEC 1945

2/12/45

8/12/45

7.12.45

NOTIFICATION

WHEREAS it appears to the Government of Madras that the land specified in the schedule below and situated in the Kodialbail (A) village, Mangalore Taluk and Town, South Kanara district is needed for a public purpose, to wit, for the purposes of Hostel Messrs Warden's lodge and rooms for Hostellers, of the St. Aloysius College, Mangalore, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of Section 4(1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and His Excellency the Governor of Madras hereby authorises, the Revenue Divisional Officer, Mangalore, his staff and workmen to exercise the powers conferred by section 4(2) of the Act. Under Section 3(c) of the same Act His Excellency the Governor of Madras appoints the Revenue Divisional Officer, Mangalore, to perform the functions of a Collector under Section 5-A of the Act.

SCHEDULE

District: South Kanara.
Taluk and town: Mangalore Taluk and town.
Village: No.89-A - Kodialbail.
Description of land: Ryotwari - Garden.
S.No. and Sub-Division: T.S.No.198/A-1.
Extent: 0.10 Acre.
Assessment: Re.0-7-0.
Name of owner or occupier: Mrs. Mary Ellen Sybel Sequiera
(Registered holder and owner)
Messrs. H.N. Choata and P. Venkat Rao
tenants and occupiers.

Government of Madras.
Education and Public Health Department.
G.O.Ms.No.3124 Education, dated the 8th December 1943.

Abstract.

LAND ACQUISITION _ South Kanara District - Mangalore Taluk and Town - S.No.67/1 Kodialbail Village - T.S.No.193/A.1 - Hostel purposes of the St. Aloysius College, Mangalore - Draft Notification under 4(1) - Published.

Read: From the Collector of South Kanara, Lr.C.No.1737/43-1, dated 4-11-43.

O r d e r:

The appended notification under Section 4(1) of the Land Acquisition Act for the purpose of a hostel for the St. Aloysius College, Mangalore, is published in the Fort St. George Gazette.

2. A contribution of one anna in addition from Provincial Funds towards the cost of acquisition.

The Collector of South Kanara is requested to obtain the consent of the Principal of the College to pay the cost of acquisition, incidental charges and pleader's fee, if any.

(By order of the Governor)

..... Secretary,
Secretariat to Government.

To the Collector of South Kanara.
" Director of Public Instruction, Madras.
" Superintendent, Government Press, Madras - published in the next issue of the Fort St. George Gazette.

[illegible] / 47 Copies.

L3.Sn.